



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Caroline Osterhoff

Examiner: John D. Ulm

Serial No.: 10/668,181

Group Art Unit: 1649

Filed: September 24, 2003

Title: EPIDIDYMIS-SPECIFIC RECEPTOR PROTEIN AND ITS USE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated September 1, 2005, Applicants hereby elect with traverse Group I, Claims 1-5, 17, 21 and 22 drawn to a protein. As a species, Applicants further elect SEQ ID NO: 6 ("B") which is listed in Table 1 on Page 37 of the specification. Fig. 10 shows staining of cells with anti-B antiserum.

All the claims in the application involve related subject matter, e.g., mammalian epididymis-specific receptor. A search would therefore comprise overlapping subject matter, and it would not be an undue burden on the examiner to carry out a search. "If search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct invention." (Emphasis added.) M.P.E.P. 803. Accordingly, withdrawal of the restriction is respectfully requested.

No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


Richard M. Lebovitz, Reg. No. 37,067
Attorney for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: SCH-2029
Date: October 5, 2005